

1 District Judge Ricardo S. Martinez
2
3
4
5
6
7
8

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 GULMET KULMEDOV, *et al.*,

No. 2:23-cv-1603-RSM

10 Plaintiffs,

STIPULATED MOTION TO HOLD
CASE IN ABEYANCE AND ORDER

11 v.

Noted for Consideration:
November 7, 2023

12 ALEJANDRO MAYORKAS, *et al.*,

13 Defendants.

14 Plaintiffs brought this litigation pursuant to the Administrative Procedure Act seeking, *inter*
15 *alia*, to compel the U.S. Citizenship and Immigration Services (“USCIS”) adjudicate their Form
16 I-589, Application for Asylum and for Withholding of Removal. Defendants’ response to the
17 Complaint is currently due on December 22, 2023. The parties are currently working towards a
18 resolution to this litigation. For good cause, the parties request that the Court hold the case in
19 abeyance until April 12, 2024.

20 Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706
21 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to
22 control the disposition of the causes on its docket with economy of time and effort for itself, for
23

1 counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ.
 2 P. 1.

3 With additional time, this case may be resolved without the need of further judicial
 4 intervention. USCIS has scheduled Plaintiffs’ asylum interview for December 14, 2023. Plaintiffs
 5 will submit all supplemental documents and evidence, if any, to USCIS seven to ten days prior to
 6 the interview date. After the interview, USCIS will need time to adjudicate their asylum
 7 application. Once the application is adjudicated, Plaintiffs will dismiss the case with each party to
 8 bear their own litigation costs and attorneys’ fees. Accordingly, the parties request this abeyance
 9 to allow USCIS to conduct Plaintiffs’ asylum interview and then process their asylum application.

10 As additional time is necessary for this to occur, the parties request that the Court hold the
 11 case in abeyance until April 12, 2024. The parties will submit a joint status report on or before
 12 April 12, 2024.

13 Dated: November 7, 2023

Respectfully submitted,

14 TESSA M. GORMAN
 15 Acting United States Attorney

16 *s/Michelle R. Lambert*
 17 MICHELLE R. LAMBERT, NYS #4666657
 18 Assistant United States Attorney
 19 1201 Pacific Avenue, Suite 700
 Tacoma, Washington 98402
 Phone: 206-428-3824
 Email: michelle.lambert@usdoj.gov
Attorneys for Defendants

20 ***I certify that this memorandum contains
 21 282words, in compliance with the Local
 Civil Rules.***

22 *s/ Bart Klein*
 23 BART KLEIN WSBA#10909
 24 Law Offices of Bart Klein
 605 First Avenue, Ste. 500

1 Seattle, Washington 98104
2 Phone: 206-624-3787
3 Email: bart.klein@bartklein.com
4 *Attorneys for Plaintiffs*

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

ORDER

The case is held in abeyance until April 12, 2024. The parties shall submit a joint status report on or before April 12, 2024. It is so ORDERED.

DATED this 13th day of November, 2023.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE